

See what people are saying about the Ombudsman...

"Although I didn't like the outcome of my complaint, I was quite pleased with the treatment that I received from Mr. Skoog and if needed, I would call him again. Thank you."

- Constituent

"Don't change a thing. Always good, objective and unbiased discussions which always lead to positive resolution."

- MnDOT Personnel

"A rewarding experience, with respect and due process."

- Constituent

"Again, many thanks for your time and attention to this matter. Really appreciate the important role your office plays."

- MN State Senator

How We Fit

Our office is a complementary function that supports the Department's Mission and Core Values.

Through engaging the public and addressing its concerns we contribute to the health of people, environment, and economy.

The Ombudsman WILL...

- ◆ Listen to all parties
- ◆ Ask questions to clarify the issue
- ◆ Determine who has been involved and what action has been taken
- ◆ Seek to understand what the parties want to see happen
- ◆ Work with the constituent and department experts to generate options for resolution
- ◆ Help all parties weigh the pros and cons of the options
- ◆ Follow up on the final option selected

The Ombudsman WILL NOT...

- ◆ Advocate for one party or point of view
- ◆ Replace formal processes
- ◆ Provide legal advice or opinions
- ◆ Act as the final decision maker; MnDOT leadership makes final decisions

A Message from the Ombudsman Staff

On behalf of the Ombud program, it is our pleasure to submit our 2016 Annual Report for your review. This report illustrates how our office brings value to the Department of Transportation and all those who benefit from our transportation system.

The MnDOT Ombud function was initially created in the fall of 2008 and placed into law during the 2013 legislative session. As neutral, independent and informal conflict resolution practitioners, the members of this office strive each day to be a resource to the traveling public, MnDOT staff, the State Legislature and the Commissioner.

We would like to thank our MnDOT peers across the state for their collaboration and continued partnership in helping us develop solutions and resolve disputes in a timely manner. We will continue to ensure that all parties are heard and their interests are considered while we work toward a final resolution.

Please contact us with any questions or comments. We welcome the opportunity to discuss our program and the services we offer.

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Additional information about the Ombud program is available online at:
www.dot.state.mn.us/ombudsman

The Evolution of the Ombudsman's Office

In 2016, the Ombudsman's Office merged with Customer Relations and Market Research to form the Office of Public Engagement and Constituent Services. This newly formed office is now home to the following programs: conflict assessment and management, customer response management, market research, ombudsman, and public engagement.

All of these programs have complementary missions aimed toward ensuring the diverse voices across the state of Minnesota are heard and will influence MnDOT decisions. Each unit helps the agency solicit feedback and respond to changing customer priorities and concerns. They all support MnDOT districts and specialty offices to effectively meet people where they are, to identify what is important to the public, to help resolve conflicts and to ensure MnDOT's transportation system meets the needs of the constituents it serves. Due in part to the advice and guidance of the Office of Public Engagement and Constituent Services, decisions will be better informed through ongoing market research, strong public involvement, and elevation of feedback from the public (both criticisms and compliments).

As a flagship function of the Office of Public Engagement and Constituent Services, the Ombudsman program will continue to be vested in ensuring responsiveness on the front, finality on the back, and a fair process in between for all constituents of Minnesota who bring concerns to the department's attention.

To request this document in an alternative format, such as braille or large print, please contact MnDOT's Office of Equity and Diversity at 651-366-4720. You also may send an email to ADArequest.dot@state.mn.us.



A Message from the Minnesota Department of Transportation Commissioner

Dear People of Minnesota,

The Minnesota Department of Transportation (MnDOT) is proud to celebrate the eighth year of its Ombudsman program (Ombud).

Established in October 2008, the Ombud has handled more than 1,000 cases as a neutral, informal and independent conflict resolution resource serving both the public and MnDOT.

The Ombud best serves MnDOT and the people of Minnesota by encouraging conflict resolution between constituents and MnDOT personnel who are most knowledgeable on the issue at hand. These staff members are uniquely trained to listen to all sides, establish the root of the dispute and provide options to move the involved parties forward with the ultimate goal of settling conflicts in a fair and timely manner.

In 2017, the Ombudsman staff will strive to continue their work as a high benefit, low cost resource to the agency and public.



Commissioner Charles A. Zelle
Minnesota Department of Transportation

Case Example

Rural Rumble Strips

Issue:

A state legislator contacted the Ombud regarding residents who were frequently disturbed by the sound from nearby rumble strips on a rural Minnesota trunk highway. The residents had previously tried working with the district in previous years, but the problem persisted.

Action:

The Ombud met with residents to listen to their livability concerns and to identify their desired outcomes. The Ombud then gathered the district’s interests regarding safety objectives and rationale for rumble strips. After exchanging perspectives with the district and residents, the Ombud facilitated a meeting between the parties.

The meeting included a “ride-along” to point out trouble spots and an opportunity for impacted residents to discuss feasible mitigation options with the district traffic engineer. After the ride-along, the district traffic engineer offered to design a mitigation plan for residents to comment on before implementation. Later, the residents were able to review the proposed plan by seeing the plan mapped out, by reading supporting memos, and by viewing preliminary pavement markings that indicated where changes were proposed.

The Ombud along with the lead resident shared the proposed plan with all impacted residents who lived along the stretch of highway of concern. The Ombud learned that one neighbor withheld support of the proposed plan because their home was in close proximity to the road, near a rare passing zone and a rock cut. The traffic engineer closely reviewed this feedback and checked field noise measurements near the home close to the road, passing zone, and rock cut. Based on the specifics of this situation, the traffic engineer adjusted the proposed plan to better accommodate this unique circumstance. The revised proposal was then fully supported by all impacted residents and was scheduled for implementation.

Resolution:

Rumble strips within a certain radius of residential homes were filled in. The traffic engineer and residents felt that important safety objectives could still be met while making changes that would reduce some of the noise from nuisance strikes to rumble strips. The Ombud’s role in this matter was to assist with responsiveness, to identify underlying interests of all involved, to enhance how perspectives were exchanged between parties, to facilitate a fair process for determining resolution options, and to ensure finality was reached by all involved without a lingering conflict. Residents and the district are credited with mutually developing and reaching resolution.

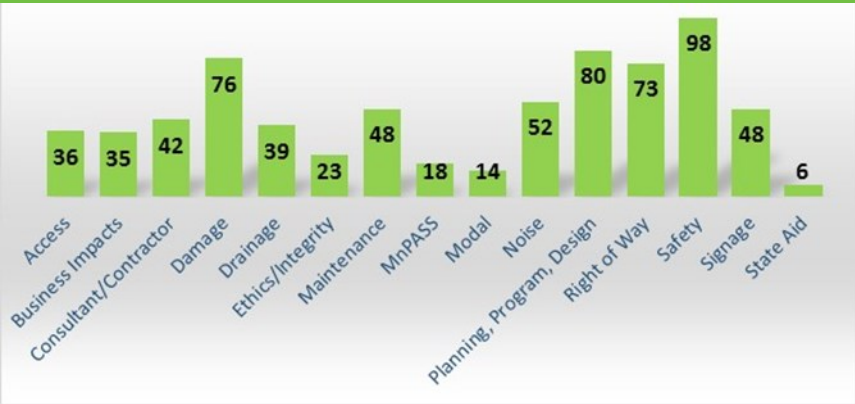


PHOTO ABOVE: A section of centerline rumble strips is filled in.

Case Statistical Data

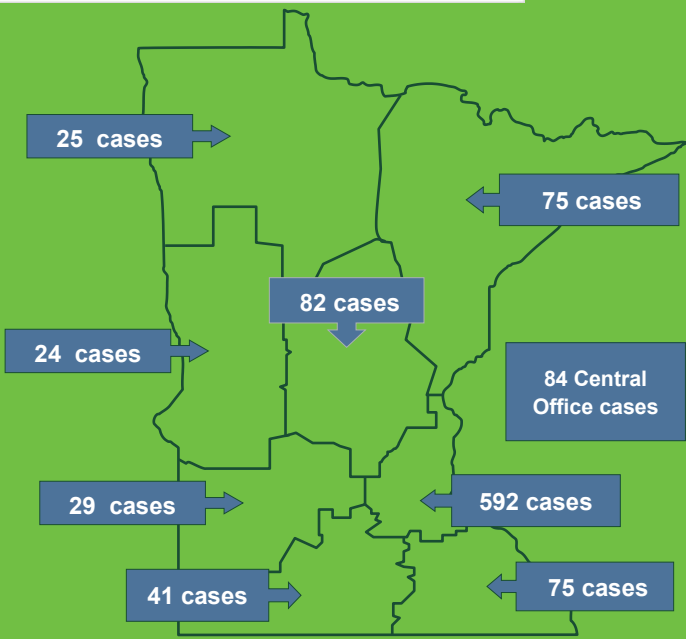
Cases By Category Since Inception

Since the program began in 2008, the Ombud staff have handled over 1,100 cases as a neutral, informal, and independent conflict resolution resource serving the public and MnDOT. The chart below shows a breakdown of cases by category since 2008. In addition to these cases, there have been 412 information cases that have resulted in referrals. When communication breaks down or a conflict persists, the Ombudsman is able to assist.



Case By District Since Inception

This map shows the case distribution throughout the state since 2008. There were also 84 statewide cases out of MnDOT’s Central Office located in Saint Paul. A statewide case is an issue not related to a specific location. For example, one case involving a change in policy regarding flags displayed on bridges throughout the state.



2016 Case Distribution by Category

Excluding informational cases, **Noise** and **Right of Way** were the top 2016 case categories followed by **Maintenance**.

Noise cases in 2016 included concerns with noise wall locations, noise wall design, noise study requests and rumble strip nuisance strikes. The right of way cases involved permit issues and requests for actions on MnDOT property.



Case Example

Metro LED Light Glare

Issue:

A state legislator contacted the Ombud regarding complaints about LED lights recently installed along a Metro highway. Residents complained the LED lights emitted a disturbing bright glare and resulted in unwanted light shining in their homes and on property. The legislator thought the previous response from the district was inadequate and that the problem remained un-addressed.

Action:

The Ombud scheduled a nighttime site visit with the acting district traffic engineer to meet with residents to see firsthand what they were experiencing. At the visit, the Ombud captured the concerns and desired outcomes of all parties. The Ombud also helped facilitate a process going forward. The parties agreed to allow the district to respond in the field followed by a check-in meeting after changes had been made. If the residents remained unsatisfied, they could elevate their issue for a final decision from MnDOT upper management.



PHOTO ABOVE: Light glare

After the initial site visit, the traffic engineer identified the offending light poles and partnered with the MnDOT Electrical Services Section to make adjustments. The LED fixtures were replaced with a flat rectangular product that had been shown to be less problematic and the fixtures were properly leveled to ensure the lights were not tilting up and away from the road-way surface. After these changes, the Ombud and traffic engineer met with the residents who acknowledged some improvement, but were not fully satisfied. Trusting that the district did the best it could and that the district would stay aware of any developments that may help in the future, the residents declined to pursue a final decision from MnDOT upper management.

Resolution:

The problematic LED fixtures were replaced with a less offensive product and were properly leveled. Although residents were not fully satisfied, they reached closure in part because of the increased trust that they had developed from working together with the district and the Ombud on their issue. The Ombud’s role in this matter was to assist with responsiveness, to help reduce tension, to enhance how perspectives were exchanged between parties, to facilitate a fair process for reaching closure and to ensure finality was reached by all involved with a livability issue that was unable to be fully resolved through district action alone.

Objectives of the Ombudsman:

- To be responsive to the public.
- Provide neutral issue resolution.
- To be a resource to MnDOT staff and the State Legislature as conflict resolution practitioners.
- Increase awareness by educating MnDOT staff on systemic problems gathered from case trends.